

postpone its further consideration until 10 o'clock A. M. tomorrow when on motion the Senate adjourned until 9 ½ o'clock A. M. tomorrow.

Tuesday March 3rd 1863

9 ½ o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present.

Mr. Lea, Chairman of the Finance Committee, made the following report:

"The Committee on Finance, to which was referred a Bill to amend the 3rd section of an act to prescribe what kinds of funds may be received for certain public dues, approved January 11, 1862, has considered the same and returns it to the Senate with a recommendation that it be passed.

The absolute necessity for this measure arises from the action which the Confederate Government may have taken or must soon take to retire from ordinary circulation nearly all of its Treasury notes that constitute its present currency. A recent report of the Secretary of the Treasury treats of this course as a necessity for which there is not any alternative; and we must assume it as a certainty for the basis of our legislation. An act of last session is prescribed that Confederate Treasury notes without any discrimination should be received for public dues in general. Should no change be made in our law and the mass of Confederate notes now current be rendered uncurrent, nearly all collections for the state, and in its name for trust interests would be in the uncurrent Confederate notes. Of course we must avoid such a result. This can be done by an amendment of the law of last session so as to exclude such uncurrent notes from our collections and to allow the continued reception of current Confederate notes. These will consist of the more recent issues, which will be made to meet governmental necessities as they may arise, and cannot fail to supply an abundant circulation, while the earlier issues must be funded in Bonds or Stocks of the Confederate government.

To meet the necessary change, the bill under consideration seems to be entirely appropriate. Its enactment would make no substantial change in the former law except in the suggested particular. Some slight variation of expression

in a few other particulars is adopted only for proper improvement in terms to express the same substance.

Pryor Lea

Chairman

Mr. Dickson moved to suspend the rule. Carried and report read and bill taken up viz: A bill to amend the 3rd Section of an act to prescribe what kind of funds be received for certain public dues approved January 11, 1862. Read 2nd time.

Mr. Ford offered the following amendment, Strike out "and not being restricted to some time for funding in its bonds or stocks." Mr. Weatherford moved a postponement of the bill and amendment until 3 o'clock P. M. Carried.

Mr. Parsons, Chairman of Committee on Internal Improvement, on behalf of said Committee reported on a bill to incorporate the Texas Iron Company and recommended its passage with the following amendments. In 8th line, Section 1 after "personal" insert "in such quantities as may be necessary for the legitimate objects of this Corporation." Add to Section 6 "and be in force for the period of 25 years."

Mr. Moore of Bastrop, one of the Committee on Agriculture, reported a Bill concerning the Alamo ditch approved April 8, 1861, and recommended its passage.

Mr. Harcourt, Chairman of Judiciary Committee, on behalf of said Committee recommended the passage of the following bills:

A Bill to punish persons obtaining goods under false pretences from the Penitentiary.

A Joint Resolution in reference to the impressment of male slaves for military use.

A Joint Resolution granting relief to Taylor, Sherrod, and Company founded on the memorial of John M. Crockett. Read 1st time.

Mr. Harcourt, Chairman of the Committee on Public Printing, on behalf of said Committee reported a Joint Resolution in relation to public printing and recommended its passage.

Mr. Durant moved to take up a bill granting land to Texas officers and soldiers in the present war. Carried. Bill read 3rd time.

Mr. Hartley offered the following amendment: Strike out of 2nd Section "and the heirs of any such soldier who

may have been killed or died in said service shall receive a certificate for one hundred and sixty," and insert "provided that every soldier from the State of Texas who shall have been disabled in the service and the heirs of every such soldier who shall have died in the service shall receive a certificate for Six hundred and forty." Laid on the table by the following vote:

Yeas: Messrs. Andres, Boyd, Cooper, Crawford, Dickson, Durant, Jordan, Lair, Maxey, Moore of Davis, Parsons, Quayle, Selman, and Weatherford—14.

Nays: Messrs. Beasley, Burney, Casey, Ford, Graham, Guinn, Harcourt, Hartley, Lea, Moore of Bastrop, Shepard, Wheeler, and White—13.

The bill being on its 3rd reading, Mr. Lea moved to postpone until 4 o'clock P. M. Mr. Quayle moved the previous question which was ordered. The Yeas and Nays were then taken on the final passage of the bill and stood thus:

Yeas: Messrs. Andres, Boyd, Burney, Casey, Cooper, Dickson, Durant, Graham, Jordan, Lair, Maxey, Moore of Davis, Selman, Weatherford, and Wheeler—15.

Nays: Messrs. Beasley, Crawford, Guinn, Harcourt, Hartley, Lea, Moore of Bastrop, Reed, Shepard, and White—11.

Mr. Casey, Chairman of Committee on Engrossed Bills, reported correctly engrossed the following:

A Bill to incorporate the Washington County Mutual Aid Association.

A Bill to incorporate the Columbus Mutual Aid Association.

On motion of Mr. Burney, a Bill to provide for the defense of the frontier was taken up. Read 2nd time.

Mr. Reed offered the following amendment, "That so long as said regiment is in the service of the State, the field officers of said regiment are hereby abolished and the Governor is authorized to appoint two Commissioners who shall rank as Captains of Cavalry whose duty it shall be to pass over the line at least once in three months and report to the Governor the condition, the amount of service done by each company, and all matters of interest relating to said service. Said Commissioners shall also act as paymasters for said service. Complaints for misdemeanors committed by members of said service must be made to

the Governor who shall, with at least two commissioned officers from said Regiment, try the offenders and shall be governed in their proceeding as near as practicable by the regulations usually governing Courts Martial." Adopted.

Mr. Casey moved to strike out the proviso in section 2. Mr. Hartley suggested the following, which was accepted by Mr. Casey. Insert in lieu thereof "That the Governor shall recommend to the Confederate Government to keep said regiment on the frontier of this state." Mr. Quayle moved to lay on table which was carried by the following vote.

Yeas: Messrs. Boyd, Burney, Cooper, Dickson, Durant, Ford, Graham, Harcourt, Hartley, Hord, Jordan, Lair, Maxey, Moore of Bastrop, Quayle, Reed, Weatherford, and White—19.

Nays: Messrs. Andres, Beasley, Guinn, Lea, and Wheeler—6.

Mr. Hartley moved to reconsider when Mr. Dickson moved to lay the motion on the table. Carried.

Mr. Hartley offered the following amendment: Insert in 2nd section after "Confederate States" the words "Whenever he shall deem it advisable," and strike out the proviso. Adopted. The bill was then passed to a 3rd reading. Rule suspended. Read 3rd time and passed.

Mr. Hartley, by leave, Chairman of Committee on State Affairs, made the following report: The Committee on State Affairs, to whom was referred the House bill to provide for the support of the families of Texan Soldiers, have duly considered the same, and have instructed me to report the accompanying substitute and recommend its passage.

The reasons which influenced the Committee in the adoption of the substitute were as follows: In the first place, the estimates for an appropriation to meet the provisions of the House bill were variously estimated from five hundred thousand to three million of dollars. It would be unwise to provide for the expenditure of so large an amount of money without the proper data for making an estimate for appropriation with reasonable certainty. Otherwise, should the appropriation fall short, a portion of those who were intended to be beneficiaries of the bill would fail to become so.

Another objection to the House bill was that it in a measure established fixed amounts to be distributed by the County Courts to the beneficiaries of the bill, whereas the necessities of the beneficiaries would involve every possible variance. For this reason it was thought advisable to leave the amount of aid to be extended to individual beneficiaries to the discretion of the county Courts, who may be thoroughly advised of the wants of all to whom the benefits of the bill should be extended.

In fixing the amount of the appropriation in the substitute, the Committee have aimed to fall below the amount that would be required entirely to carry out the object stated in the caption of the bill, leaving the balance that would be required to be made up by taxation of the County Courts with a view to securing an economical administration of the fund by the County Courts.

R. K. Hartley
Chairman

On motion of Mr. Guinn, the report was taken up, the substitute read and adopted.

Mr. Lea moved to strike out \$600,000 and insert \$1,200,000. Mr. Guinn called for a division on the question. The motion to strike out was put and lost. Mr. Quayle moved to strike out "1862" and insert "1861."

On motion the Senate adjourned until 3 o'clock P. M.

3 o'clock P. M.

Senate met, roll called, quorum present.

The question being on Mr. Quayle's amendment to strike out "1862" and insert "1861" by leave it was withdrawn when Mr. Burney renewed the motion. Mr. Guinn offered the following substitute for the amendment: "According to the returns of 1861 and 1862 taking as a basis for the distribution to those counties which have not returned their lists for both years, the year for which there is a return for the County." Adopted and bill passed to a 3rd reading. Rule suspended. Read 3rd time and passed.

A Bill to amend the act to prescribe what kind of funds shall be receivable for public dues being the special order was read 2nd time. Mr. Ford's amendment being under consideration, Mr. Burney moved to lay the bill and amendment on the table. The Yeas and Nays being called for, Mr. Lea moved a call of the Senate which was sustained.

The Senate not being full, Mr. Parsons moved to take up bill to incorporate the Texas Lead and Copper Mine Company. Carried. Bill read 2nd time and ordered to be engrossed. Rule suspended. Read 3rd time and passed by the following vote:

Yeas: Messrs. Andres, Beasley, Burney, Casey, Cook, Cooper, Crawford, Dickson, Durant, Ford, Graham, Guinn, Hord, Jordan, Lea, Lair, Moore of Davis, Moore of Bastrop, Parsons, Quayle, Selman, Shepard, Weatherford, and White—24.

Nays: Mr. Boyd—1.

Mr. Hord by leave made the following report: "The Committee on State Affairs maturely considered the Joint Resolutions in regard to trade herewith report a substitute for 3rd, 4th, and 5th resolutions, and recommend its adoption and the passage of the Joint Resolutions."

On motion of Mr. Guinn, a Bill to punish those who have taken the Alien Oath etc. was taken up. Read 2nd time. Mr. Hord offered the following amendment. Insert "No person who has borne arms during the present war, against the Confederate States unless relieved by a vote of two thirds of the Legislature." Mr. Weatherford moved the following as an amendment which was accepted by Mr. Hord viz: "and unless such persons are residents of such state or states which are not at war with the Confederate States as shall first become a member of this Confederacy." Mr. Hord by leave withdrew the amendment when Mr. Hartley offered the following: Strike out the 1st section "take the oath commonly known as the Alien Oath, whereby he claims the protection of any foreign government as a shield from serving in the cause of the Confederate States in their present struggle, or who may." Mr. Harcourt offered the following as a substitute: "Provided that persons who have proven themselves to be **bona fide** neutrals and citizens of a friendly power shall not be subject to the provisions of this act." Mr. Hartley moved to postpone further consideration until tomorrow 10 o'clock A.M. Mr. Ford moved to lay the motion on the table. Carried. Mr. Harcourt's substitute was then adopted. The amendment was then adopted and bill passed to a 3rd reading. Rule suspended. Read 3rd time and passed.

The Senate being full, the question was taken on Mr.

Burney's motion to lay on the table a bill relative to what kind of funds etc. etc. The Yeas and Nays were as follows:

Yeas: Messrs. Andres, Beasley, Boyd, Burney, Casey, Crawford, Durant, Guinn, Harcourt, Jordan, Lair, Maxey, Moore of Davis, Moore of Bastrop, Parsons, Quayle, Weatherford, and Wheeler—19 [18].

Nays: Messrs. Batte, Dickson, Ford, Graham, Hartley, Hord, Lea, Reed, Shepard, and White—11.

On motion of Mr. Graham, a Bill appropriating money to defray the expenses incurred for rations and forage of 21st Brigade Texas State Troops was taken up. Read 2nd time and passed to a 3rd reading. Rule suspended. Read 3rd time and passed.

Mr. Harcourt moved to take up a resolution relative to contract by Military Board with Taylor, Sherrod and Company. Carried and Resolution read 2nd time. Mr. Hartley offered the following amendment: "Provided the said parties shall furnish the Military Board 400 pistols at \$75 each." Mr. Casey offered substitute for the amendment "Provided said Company shall furnish to the Military Board for the State at the Contract price (\$40) a sufficient number of pistols to pay the amount advanced by the State to said Company." Mr. Hartley withdrew the amendment, Mr. Casey consenting that the substitute should be considered part thereof. Mr. White offered the substitute of Mr. Casey as above as an amendment to the resolution. Mr. Cook moved to lay on table. Carried. The Resolution was then ordered to be engrossed. Rule suspended. Read 3rd time and passed.

On Motion the Senate adjourned until 9 o'clock A. M. tomorrow.

Wednesday, March 4, 1863

9 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Casey, Chairman of Committee on Engrossed Bills, reported a Bill for the organization of the State troops and prescribing who shall be liable to military duty, correctly engrossed.

On motion of Mr. Guinn, the Bill was taken up. Read 3rd time. Mr. Guinn moved to amend by paying the enrolling officers by the respective County Courts. Mr. Har-